

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

WAYNE THOMAS,)	
an individual,)	
)	Case No.: 4:19-cv-03613
Plaintiff,)	
v.)	
)	
DENNY’S, INC.,)	
a Florida Corporation,)	
)	
and)	
)	
RRH – DEN, LLC,)	
a Delaware Limited Liability Company,)	
d/b/a Denny’s)	
)	
Defendant.)	
_____)	

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE
AS TO DEFENDANT DENNY’S, INC.

Plaintiff pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, hereby dismisses this action in its entirety without prejudice as to Defendant Denny’s, Inc. This action shall continue against remaining Defendant RRH – DEN, LLC.

Respectfully Submitted,

By: /s/ Louis I. Mussman
Louis I. Mussman
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and

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of October, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and a true and correct copy of the foregoing has been furnished by U.S. Mail to:

Denny's, Inc.
c/o CT Corporation System, Registered Agent
1999 Bryan Street, Suite 900
Dallas, Texas 75201-3136

RRH – Den, LLC
c/o Clyde W. Rucker, Registered Agent
1945 W. Main Street
Mesa, AZ 85201

By: /s/ Louis I. Mussman
Louis I. Mussman